

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS



STATEMENT OF

BARRY KASINITZ
DIRECTOR OF GOVERNMENTAL AFFAIRS

BEFORE THE
HOUSE COMMITTEE ON
HOMELAND SECURITY

ON

REFORMING FEDERAL EMERGENCY MANAGEMENT

MAY 9, 2006

Thank you Mr. Chairman, Ranking Member Thompson and distinguished members of the Committee for the opportunity to testify before you today. My name is Barry Kasinitz, and I serve as Director of Governmental Affairs for the International Association of Fire Fighters (IAFF). I am pleased to appear before you today on behalf of our General President Harold Schaitberger and the more than quarter million full-time emergency response personnel who comprise our organization.

Whenever and wherever disaster strikes, America's professional fire fighters and emergency medical personnel are on the front lines working tirelessly and heroically to save lives and protect the public safety. Whether it is a bomb in Oklahoma City, an earthquake in San Francisco, terrorist attacks on the World Trade Center or massive flooding in the Gulf Coast, the men and women of the IAFF are the first to arrive on the scene and the last to leave.

Our members' dedication and bravery is matched only by the technical expertise they bring to their mission. The days of fire fighters whose primary function was simply putting water on the fire are long gone. Today's professional fire fighter is an all-purpose emergency responder trained in such specialized disciplines as hazardous/WMD materials response and high-angle, confined space and water rescue. The modern fire service is also our nation's preeminent provider of emergency medical services. In a 2004 survey of the 200 most populous American cities by the Journal of Emergency Medical Services, 90% reported that medical first response is provided to their populace by fire service personnel.¹

It is from this perspective as front line emergency responders that we commend and congratulate the Committee on the initiative before you today. Our nation's emergency response system is badly broken and in desperate need of repair. The National Emergency Management Reform and Enhancement Act is an important stride forward in creating a new paradigm for the way our nation responds to natural and man-made disasters.

Our Katrina Experience

The first response to any disaster, no matter its scope, is always at the local level. When Hurricane Katrina ravaged the Gulf Coast last summer, local fire fighters were the first to respond, performing search and rescue, providing emergency medical assistance, and yes, even putting out fires.

But the federal government has a significant role to play as well. The single most important thing the government can do to save lives and protect public safety during a disaster is ensure the effective mobilization, and support, of the fire service. In this respect, the federal government completely botched its response to Katrina.

After Katrina struck, it was over a week before exhausted New Orleans fire fighters first encountered anyone from FEMA. And even then, FEMA hindered, rather than helped, local response by hoarding desperately needed resources. Some local fire fighters in New Orleans were unable to fuel their engines, even though FEMA had a large fuel supply. Other local fire

¹ Williams, Dave. "2004 JEMS 200 City Survey". Journal of Emergency Medical Services 23.2 (February 2005): 42-60.

fighters were forced to break into a retail outlet to obtain a generator to charge their radios, because FEMA had stockpiled all the batteries. Despite the urgency of the situation and the lifesaving importance of fire fighters' work, requests to FEMA for such basic supplies went unanswered.

To alleviate FEMA's shortcomings, the IAFF mobilized its own members to deliver supplies and provide general support to fire fighters along the Gulf Coast, assisting over 5000 frontline responders with basic needs such as communications, food, medical care and supplies.

And as New Orleans fire fighters worked around the clock, exhausted and in desperate need of relief, FEMA called up over 1000 fire fighters to serve as "community relations officers," tasking them with the distribution of informational fliers. But rather than deploy these highly skilled and highly trained professionals to relieve local first responders, our members sat in hotel rooms in Atlanta.

Separately, hundreds of fire fighters from around the nation participated in the response efforts under the EMAC deployment system, but here too FEMA hindered rather than helped the effort. By creating confusion regarding whether local communities would be reimbursed for sending fire fighters, FEMA delayed by several days the mobilization of emergency response personnel.

FEMA should be a resource for first responders to do their jobs – not the other way around. Put simply, Mr. Chairman, FEMA failed our first responders.

The Post 9-11 World

These failures of the government's response are horrific, but perhaps the biggest tragedy of all was that the response to Katrina should have been much better. Following the cataclysmic events of September 11, 2001, our nation decided that we needed a better way to respond to major disasters. Congress and the Administration moved quickly and forcefully to develop new systems to be better prepared for the next disaster.

We created the Department of Homeland Security, the largest reorganization of the federal government in half a century. The President of the United States issued a series of Directives that were meant to change not only programs, but ways of thinking, leading to the creation of the National Incident Management System (NIMS) and the National Response Plan (NRP).

Katrina was the first test of this new order, and it failed miserably.

So what went wrong here? Why, after four years, billions of dollars, and countless man-hours, did the first test of our nation's new preparedness and response system fail?

Problems with the Federal Emergency Response System

The first problem lies in how the Department of Homeland Security was originally created. Whole agencies, each with their own culture and history, were "scotch-taped" together, sometimes haphazardly, to form the new Department. The result was as though pieces from

various jigsaw puzzles had been forced together to form a single picture. Personnel still functioned within the bubbles of their original agencies, and they kept doing their jobs as they had all along. The result didn't always best serve the new department.

Furthermore, it seems clear that Department personnel didn't even understand their own emergency response plans. According to the Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, "the Secretary [of Homeland Security] was confused about the role and authority of the PFO" as outlined in the National Response Plan.² The report cites Secretary Chertoff's designation of Michael Brown as PFO, even though Brown had not completed the training program required by the NRP.³ Furthermore, the report notes that the Secretary did not seemingly recognize until almost two weeks after Michael Brown's replacement as PFO that it was the FCO who had the authority to direct federal funds and agencies to respond to the disaster.⁴

Perhaps it is understandable that even Secretary Chertoff didn't understand the National Response Plan. In many ways, the Plan didn't, and doesn't, make sense in the real world. For example, the Plan fails to adequately utilize the greatest resource our nation has to respond to disasters: the network of highly trained emergency response personnel stationed in nearly every community in America. Under the NRP, the Department of Agriculture, specifically, the Forest Service, is responsible for "mobilizing firefighting resources in support of State, local and tribal wildland, rural, and urban firefighting agencies."⁵ It is hard to imagine a less appropriate assignment.

Reforming National Emergency Preparedness and Response

Mr. Chairman, this Committee has recognized these failures and has taken important steps to correct them in the legislation at hand. The National Emergency Management Reform and Enhancement Act would implement a number of important changes at the Department of Homeland Security, and would provide the necessary framework to improve the National Incident Management System and the National Response Plan.

First and foremost, the Act provides the Department of Homeland Security, and FEMA, with a fresh start. You do what should have been done four years ago when the Department was first created – you ignore the old "pieces of the puzzle" to create an entirely new entity – the Directorate of Emergency Management. By eliminating old boundaries and establishing a new directorate, complete with new names, structures, and relationships, from scratch, we believe you will eliminate many of the problems that have plagued the Department since its inception.

One of the biggest flaws with the Department's Second Stage Review initiative was the separation of FEMA's preparedness and response activities. It makes little sense to have one federal agency work with local communities to develop response plans, and then have different

² United States Cong. House. Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. A Failure of Initiative. 109th Cong., 2nd sess., 2006. H. Rpt. 109-377. Washington: GPO, 2006.

³ Ibid.

⁴ Ibid.

⁵ U.S. Department of Homeland Security. National Response Plan. Washington: 2004.

federal agencies implement those plans. By reuniting Emergency Preparedness and Emergency Response under the Directorate of Emergency Management, you are helping ensure that future emergency response efforts are in sync with today's preparedness efforts.

The Act also restores strong leadership to FEMA by ensuring that the Undersecretary of Emergency Management has demonstrable experience, and knowledge of emergency management. Undersecretary-nominee David Paulison is a great example of the sort of leader the Committee has envisioned; as a former IAFF member and fire chief, Paulison has the necessary experience and knowledge to spearhead the federal government's emergency response efforts. We also agree with the Committee that the Undersecretary should be given direct access to the President during disasters, ensuring that he or she is not encumbered by bureaucracy when faced with a snap decision.

We are also extremely pleased that the Act applies an all-hazards approach to emergency preparedness and response. Entirely too much time and effort has been spent on a misguided attempt to differentiate between natural versus man-made disasters. Whether a building collapse is caused by an earthquake or terrorist bomb, the response efforts are the same. Whether a terrorist deliberately releases a toxic chemical into the air or that same chemical is released because a train accidentally derails makes little difference to those working to mitigate the dangers. None of us knows what the next disaster will look like. By recognizing this fact, the federal government will be better prepared to respond to whatever test next faces our nation.

There remains, however, one significant omission in the current draft of the legislation. Government's paramount mission when disaster strikes is to save lives and protect the public safety. Yet, the current federal emergency response system fails to adequately utilize the single most valuable resource we have: our nation's emergency response personnel.

To be sure, fire fighters and other responders already respond in a massive way to disasters, but they do so largely outside the scope of the federal government. Fire fighters are officially deployed under an interstate compact and various mutual aid agreements, and unofficially deployed based on nothing more than a personal desire to help.

Although their impact on disaster response has been overwhelmingly positive, the arrival of fire fighters on the scene has often been chaotic and less than 100% effective. There are several reasons for this.

First and foremost, too many well meaning fire fighters self-dispatch, not waiting to be mobilized as part of an official call-up. Second, the qualifications of fire fighters vary widely. Just because a person calls himself or herself a fire fighter does not always mean they are capable of doing what fire fighters should be able to do. Universally accepted standards for fire fighter training are widely ignored, and there is currently no way to credential those who do have adequate training and experience. This uncertainty prevents on-scene incident commanders from being able to make appropriate use of their most valuable resources. Finally, as noted above, there is little coordination between EMAC, which deploys fire fighters, and FEMA, which reimburses communities for the costs incurred.

The solution is to amend the National Response Plan to make full use of everything that local fire fighters can provide. The NRP should be amended to establish a fire fighter credentialing system (a project already well underway at the U.S. Fire Administration), and a more effective and efficient deployment model.

There simply is no reason why the federal government cannot provide incident commanders with a group of highly trained and equipped fire fighters in a timely fashion. Making this one change would do more to protect our fellow citizens than anything else we can recommend. I am pleased to note, Mr. Chairman, that we have been working with your extraordinary staff in recent days on language to achieve this goal, and I thank you for your support of these efforts.

The challenges in implementing these changes to the Department and to our emergency response system are not insignificant. This Committee has set high standards for the new Directorate of Emergency Management, which we very much appreciate. Although it is a large undertaking, the IAFF has every confidence that, with the right leadership, restructuring our nation's emergency response system can, and will, succeed. Your bill is a great start.

Additional Improvements

I would be remiss if I didn't mention a few additional sections of the bill that we believe will benefit emergency response.

The National Advisory Council on Emergency Management will provide the Emergency Management Directorate with expertise and assistance that, to date, has been largely missing. The nation's fire fighters are looking forward to working within this structure to enhance NIMS and the NRP.

We believe the National Integration Center (NIC) will play an invaluable role in improving federal disaster response efforts. As a focal point for both NIMS and the NRP, NIC should be able to address the coordination and integration problems that have plagued emergency response efforts in the past. We add a word of caution that the responsibilities given to this agency are both critical and very broad, and we urge the Committee to assure that NIC will have the necessary resources and leadership for this massive undertaking.

We have been less than impressed by DHS efforts to date to define the essential capabilities of emergency response providers, and we commend you for including in your proposal a requirement that these capabilities be revised and updated.

Authorizing the Regional Offices will preserve one of the best things about the old FEMA. These offices will ensure better coordination between the Directorate, state and local governments, and local emergency response providers.

We are especially appreciative of the language in the bill authorizing medical monitoring programs following disasters. This language will allow for the early detection and treatment of potential health issues in first responders, and lead to new ways to protect fire fighters and prevent harmful exposures from future disasters. The successful World Trade Center Medical

Monitoring program, which evaluated almost 12,000 individuals after 9-11, found respiratory problems among emergency responders that would not have been otherwise detected. We believe similar efforts as part of any response to future disasters would likewise provide vital information to those who rush directly into harm's way.

There is one area of concern that I wish to note. Section 522 of the Act authorizes the National Domestic Preparedness Consortium, and names five specific institutions as its members. While these institutions do a good job training state and local first responders, we are concerned that naming them in law would limit the Consortium's membership. There may be institutions around the country that would be just as effective, if not more effective, than the institutions currently named in the Act, and there may come a time when DHS wishes to expand or change membership in the consortium. In Congressman Reichert's district, for example, the Department of Energy's Hazardous Materials Management and Emergency Response (HAMMER) training center provides one of the best hazmat/WMD training programs in the country.

My own organization's WMD training program is another case in point. The IAFF's training program is the most cost effective and successful WMD training provided to fire fighters. Using a cadre of instructors who are both certified fire service instructors and certified hazmat responders, we offer real-world training that few institutions can match. And because we send instructors into local communities and use local resources, we have a far lower per pupil cost than any fixed site training facility. We have been providing this training with federal support since the inception of this federal program—before there was a DHS—yet we are not currently designated as a member of the Consortium. We respectfully request that if you do decide to name specific institutions in law, you consider adding exceptional institutions and programs such as HAMMER and the IAFF.

Conclusion: A Great First Step

The National Emergency Management Reform and Enhancement Act takes great strides towards improving the manner by which our nation prepares for, and responds to, natural and man-made disasters. We appreciate this Committee's willingness to incorporate many of the recommendations of the IAFF and other responder organizations, and we applaud the fact that you have worked in a bipartisan manner to produce this legislation.

Mr. Chairman, our nation's fire fighters have never hesitated to put themselves in harm's way to protect our nation and its citizens, and we are at the ready to respond to the next disaster, no matter what form it takes. But our nation's first responders can't do it alone. Congress must now act to help the fire service more effectively respond to future disasters, and to that end, the National Emergency Management Reform and Enhancement Act serves as a great first step.

This concludes my testimony. Thank you for your interest and attention. I am, of course, happy to answer any questions you may have.